To His Excellency SIR JOHN COLBORNE, Knight Commander of the most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, &c. &c. &c.

We, His Majesty's dutiful and loyal Subjects, inhabitants of the District of Gore, express our satisfaction. that Your Excellency has been chosen to represent His gracious Majesty in the Government of this Province; and we beg leave to congratulate Your Excellency thereupon.

The recent occurrences upon the question of the civil rights of certain inhabitants of this Province, gave rise to a practical manifestation of His Majesty's gracious disposition towards his Canadian people, which has not failed to impress us with a due sense of gratitute, and to encourage us in the belief, that whenever we suffer under misrule, we have only to lay our complaints at the foot of the Throne in order to obtain redress. We accept the pledge in the conciliatory spirit in which we presume your Excellency has been sent among us, and have not noticed, without a proper measure of pleasing anticipation, your first efforts in recommending to our Provincial Legislature the repeal of that odious law, the 44th of the late King; your recommendation of improvements in the system of education, and the amelioration of the public roads; nor are the measures in favour of emigration, and the reformation of the Legislative Council, contemplated by your Excellency, least in the scale of importance for the promotion of our future prosperity. Much indeed should we have been gratified, had we perceived the co-operation of the Legislative Council with your Excellency in those valuable and important objects, which have long been counteracted by the policy of the late administration, and which objects, unless embarrassed by those still unhappily forming the Councils of your Excellency, will, in their consummation, restore confidence in the administration of the Government: for it cannot be denied, that public opinion had lost both faith and hope in the past management of our public affairs.

We avail ourselves of this opportunity of addressing your Excellency to express our abhorrence and indignation at the late base transaction which occurred at the Town of Hamilton, and evidently intended to bring the people of this District, if not of the Province, into disrepute with your Excellency, and at the same time, to gratify the personal resentment of the perpetrator of the outrage, who, from the most powerful, circumstantial, and presumptive, evidence, is still reiterating the most libellous Editorial productions in the Gore Gazette, tending seriously to impair the character and interests of the Province, as will be seen by the New-York Albion of the fourteenth February last, wherein it is represented, upon his authory, as being in a state of treason and incipient rebellion.

It is only within these very few years, from the noxious accession of some individuals to our Society, aided by the circulation of a paper from a prostituted local Press, and the assimilation of a portion of the magistracy to persons whose habits of life are destructive of the good order of any community, that dissentions, jealousies, and persecutions, have risen to a height unparalleled in any British Colony.

We had hoped, that the accession of your Excellency to this Government would have afforded a restraint upon the abuses which have so long prevailed with impunity, and to which we have hitherto submitted with a patience that has evidently made the existing evils more and more inveterate.

If it be true, that Magistrates, acting judicially, are not amenable to the Court of King's Bench for their misconduct, however exceptionable that conduct may be, we can see no hope of redress, unless your Excellency will interpose in cases of glaring injustice between the people and those abusing the power with which they are entrusted over them. And we respectfully inform your Excellency, that Magistrates have hitherto been appointed to favor particular political views, with too little regard to fitness of temper, character, and conduct.

The proceedings so discreditable to the administration of justice, which took place in the April Quarter Sessions at Hamilton in this District, in the year one thousand, eight hundred and twenty-eight, and which resulted in an application for the removal of Mr. George Rolph from the office of the Clerk of the Peace, were submitted in a series of affidavits to his late Excellency Sir Peregrine Maitland, and are within the knowledge of your Excellency. We had hoped, that it was only necessary for such facts to be laid before the Executive Government to put a stop to such outrageous scenes in our Courts of Justice; but, it was with pain and mortification, that we found the Magistrates sheltered by the power which we hoped would have been exercised for the correction of their abuses; for, notwithstanding the disclosure of the corruption so publicly witnessed on the above occasion by a crowded Court House, and since established upon oath, and become notorious in the Country, the same Magistrates continue in authority. This impunity has operated as an encouragement, and rendered injustice and oppression so much more dangerous and daring amongst us, that the same Magistrates, with others of recent appointments enlisted under them, have engrafted upon those shameful transactions above alluded to, the further proceedings, of the late Court of Quarter Sessions, when a number of the Magistrates combined to remove Mr. George Rolph from the office of Clerk of the Peace in a manner violently repugnant to what we believe to be law, and know to be justice.

The principle of injustice which has marked Mr. Rolph's fate the other day may be applied to ourselves to-morrow, and it has therefore become necessary for us to make common cause in struggling against the further abuse of power and violation of the plain rules of justice with impunity. Out of those proceedings in the April Court of General Quarter Sessions, in one thousand, eight hundred and twenty-eight, an application was, for the first time, made to his late Excellency by some of the Magistrates of this District for the removal of Mr. George Rolph, as Clerk of the Peace. Failing in this attempt, the Magistrates, in the late Court of Quarter Sessions, in open Court, read a document (a copy whereof is annexed to this petition) containing certain charges against Mr. George Rolph, as

Clerk of the Peace, some of which charges were known to be untrue, and all of which, we believe, would have been proved to be false, had the Magistrates attempted to prove them to be true. These charges were not preferred by any member of the community unconnected with the Court, but were got up by the Magistrates themselves, in private and clandestine meetings held for the purpose. Upon reading the charges, it was agreed that the accused should not be heard in his defence, that no proof should be received of the truth of the charges, but that he should be at once convicted, condemned, and dismissed.

It is against this mode of administering justice that we offer our humble remonstrance, and pray, that your Excellency will be pleased to enquire what Magistrates have been guilty of this unjust, malicious, and oppressive conduct. If this conduct rested on a doubtful point of law, we, your petitioners, would readily admit of any extenuation, but when we repeatedly see them violate those plain maxims of Justice, which God has written in the heart of every honest man, we should, by conceding an excuse, give villiany a retreat into which it never could be pursued and punished.

Some of these Magistrates who seem to have been active in this conspiracy, we learn, are themselves, and by their friends, applicants for the office; and that some of the Magistrates, of recent appointment, acted upon the charges without any proof or knowledge of their truth. Thus these judges voluntarily made themselves accusers upon charges of their own creation, which charges, these accusers themselves, proceeded summarily to punish as offences by dispensing with any proof or any defence; when men will stoop so to act judicially, we trust your Excellency will not think them longer fit to be our Judges.

We feel the full conviction, from our personal observation in the Court of Quarter Sessions in this District, that this unprecedented conspiracy to deprive Mr. George Rolph of his office, is deeply connected with the atrocious act of barbarity committed by a number of persons calling themselves the gentry of Gore, upon his premises and person, as already before your Excellency. We refer your Excellency to the names of applicants for Mr. Rolph's vacated situation, for the real motives that actuated many of them in their zeal for his dismissal.—It would weary and disgust your Excellency were we to enumerate all the various insults to which many of us have seen Mr. George Rolph subjected at the court of Quarter Sessions, and the licence and impunity afforded to those who assailed him, with the most opprobrious epithets and the most ensnaring interrogatories.

We can all testify our belief, and many of us our knowledge, that Mr. George Rolph, as Clerk of the Peace, has faithfully demeaned himself in his office, for nearly fourteen years, with credit to himself and always with respect to the court; and we trust that your Excellency, as a friend to equal justice, will discountenance with your Excellency's displeasure, these unjust attempts by such partial and unjust proceedings to injure the rights and interests of a public officer.

In the late pretended magisterial enquiry into the Hamilton Effigy, respectable individuals were insulted, illegal processes issued, great unnecessary expense incurred, false imprisonments committed, without the hope of redress, the grossest partiality betrayed, a female of decent character taunted with the most bare-faced lewd indecency, and a subpœna issued and executed, and the person examined as a witness, in a court held at a Tavern, on the Sabbath day.

It is impossible for us to detail the continual and increasing abuses, partiality, and injustice, which mark the proceedings of too many of the Magistrates; but we do pray, that upon reasonable proof of the injustice, malice, and oppression of their proceedings, they may be dismissed, and that out of those wealthy and intelligent farmers whose long tried worth and integrity of life, have justly gained to them the esteem and confidence of the country, others may be appointed for the purpose of administering justice amongst us, and not to strengthen a political faction which has long been systematically opposed to the real wishes and interests of the country.

The reformation of the magistracy by your Excellency, will conduce not only to the better and more creditable administration of justice and to the confidence of the public in it, but also essentially improve the condition and appropriation of our District funds, and realize from a more just and economical management of their sufficient resources for the completion of objects of local improvement, more beneficially direct the divisions for Statute labour, satisfy the reasonable wishes of the public, give a better tone to the state of society, and restore peace to a District which has lately been distracted by so many outrages.

Connected with these growing evils and rendering them more oppressive, is the appointment of our juries; with reference to which we only briefly notice, that the Grand Jury at the Assizes is composed chiefly of the Magistrates of whom we complain; and at a late court of Quarter Sessions, the menial servant of a Magistrate was returned as a Grand Juror, at the very court at which he was expected to be indicted for an assault and battery, and in whose favour a letter was addressed to the Grand Jury; and still more recently George Gurnett was returned as a Grand Juror, when he was notoriously expected to be indicted for a violent assualt and battery upon one Paoli Brown, a man of colour, and who had become particularly obnoxious to the public from his conduct upon the Hamilton outrage, and who had avowed himself unable to give evidence without criminating himself in the shameful night attack upon the premises and person of Mr. George Rolph.

Much could we wish to see your Excellency exercising what we deem to be the intention of the British Government by dispensing a general amnesty to all whom party rage throughout the Province, has made the victims of the resentment of the former administration, and ardently do we wish to see your Excellency as much beloved by the inhabitants of Canada as was your predecessor, the immortal General Brock.

In thus exercising our rights as British subjects we humbly offer to your Excellency the earnest assurance of our attachment to His Majesty's person and government, and of our gratitude to your Excellency for the interest your Excellency has expressed for the prosperity of the Province.